

**A SUBSTITUTE ORDINANCE BY
COMMUNITY DEVELOPMENT/HUMAN RESOURCES COMMITTEE**

10-O-0408

A SUBSTITUTE ORDINANCE AMENDING THE CITY OF ATLANTA CODE OF ORDINANCES SECTION 110-3, SUBSECTION (a)(5), TO ADD A SALARY SURCHARGE TO EVENTS HELD DURING NON-OPERATING HOURS AT THE ATLANTA CYCLORAMA MUSEUM TO COVER PERSONNEL COSTS OF CITY EMPLOYEES STAFFING SUCH EVENTS; AND AMENDING SECTION 110-3 SUBSECTION (C) TO AUTHORIZE THE DIRECTOR OF THE OFFICE OF CULTURAL AFFAIRS OR HER/HIS DESIGNEE TO OFFER DISCOUNTED ADMISSION FEES FOR CYCLORAMA IN PREDETERMINED TIMES OR CIRCUMSTANCES, WHERE SAID DISCOUNT DOES NOT EXCEED TWO DOLLARS (\$2.00); AND TO CHANGE THE FEE STRUCTURE FOR ADMISSION TO THE CYCLORAMA MUSEUM; AND FOR OTHER PURPOSES.

WHEREAS, the Atlanta Cyclorama Museum (“Cyclorama”) is a museum owned by the City of Atlanta (“City”), and is located in Grant Park at 800 Cherokee Avenue in Atlanta; and

WHEREAS, Cyclorama houses one of the largest paintings in the world, depicting the Battle of Atlanta fought in July 1864 during the American Civil War; and

WHEREAS, Cyclorama is within the purview of the Department of Parks, Recreation, and Cultural Affairs (“DPRCA”), and specifically within the purview of the Office of Cultural Affairs (“OCA”); and

WHEREAS, the City’s Code of Ordinances, Section 110-3 (“Fee Code”) establishes a fee structure for participation in DPRCA programs and activities, and for rental of DPRCA rooms, facilities, and amenities; and

WHEREAS, the Cyclorama lobby and balcony, as well as the auditorium, are available for private party rental, and the rental rates are set forth in subsection (a)(5) of the Fee Code. Specifically, the rental rates are \$850 for a three-hour rental of the lobby and balcony, with \$150 for each additional hour, and \$150 per show for rental of the auditorium; and

WHEREAS, the Cyclorama rental fees are used to reimburse the City for the expenses it incurs from the rental, namely utility, general clean up, and wear and tear expenses. These rental fees are not sufficient to cover staff overtime costs; and

WHEREAS, many Cyclorama rentals are held outside of normal business hours, requiring one or more City employees to open the museum, staff the event, and close the museum. The timing of these rentals requires that the employee(s) be paid overtime; and

WHEREAS, implementing a surcharge of \$25.00 per hour per City employee for Cyclorama rentals held during non-operating hours would offset overtime staff costs incurred by OCA; and

WHEREAS, it is customary for other attractions in the City of Atlanta (including Zoo Atlanta, the Georgia Aquarium, the World of Coca Cola, the Atlanta History Center, and the High Museum of Art) to hold special promotional days with decreased admission fees, thereby increasing attendance and visibility of the attraction. OCA recommends that such a practice be permitted at Cyclorama to help it remain competitive; and

WHEREAS, some other tourist attractions enter reciprocal relationships with each other, offering patrons a discount when the tourist visits both attractions. OCA recommends that such a practice be permitted at Cyclorama to encourage the inclusion of Cyclorama as part of City tours, and to otherwise encourage tourists to visit the museum.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY ATLANTA, GEORGIA, as follows:

Section 1: City Code of Ordinances Section 110-3 (a)(5) shall be amended by adding a subsection (c) that imposes a salary surcharge on Cyclorama rentals that occur during the museum's non-regular operating hours. Section 110-3 (a)(5) also shall be reformatted.

Section 110-3 (a)(5) currently reads:

(5) <i>Cyclorama rental.</i>		
a. Lobby and balcony (3-hour rental)	850.00	850.00
	150.00 each additional hour	
b. Auditorium, per show	150.00	150.00

Section 110-3 (a)(5) shall be amended to read as follows:

“(5) *Cyclorama rental*

- a. Lobby and balcony (3-hour rental)\$850.00
plus \$150.00 for each additional hour
- b. Auditorium, per show..... \$150.00
- c. *Salary surcharge.* In addition to the fees set forth above in this subsection (5), the renter shall be required to pay a salary surcharge for those times when the rental occurs during Cyclorama's non-regular operating hours. The salary surcharge shall be \$25.00 per hour for each staff person required. One staff person shall be provided for every 100 persons whom the Cyclorama Director expects to attend, such that 1--100 anticipated attendees shall require one staff person; 101--200 anticipated attendees shall require two staff people, etc. The number of expected attendees shall be based upon the number provided on the rental application, except that the Cyclorama Director may apply a different number where s/he has reasonably reliable information that more attendees will be present, where s/he provides that information and the

decision to the applicant in writing, and where s/he gives the applicant an opportunity to refute the information. The salary surcharge shall be paid at a time and in a manner designated by the Cyclorama Director, but in no event later than seven days prior to the rental.”

Section 2: City Code of Ordinances Section 110-3 (c), entitled “Atlanta Cyclorama Admissions” shall be amended by adding a subsection that allows for discounted admission during certain Cyclorama promotional events. It shall be further amended by allowing for discounted admission as part of a reciprocal relationship with another tourist attraction. Specifically, Section 110-3(c) shall be amended by adding the following underlined provisions:

“(c) *Atlanta Cyclorama Admissions:*

Patron Category:

Adults (ages 13--59) . . . \$10.00
Seniors (ages 65 and above) . . . \$8.00
Children (ages 4--12) . . . \$8.00
Children (under 4 yrs. old) . . . free

Group rates (10 or more persons):

Adult group (ages 13 and above), per person . . . \$9.00
Children's group (ages 4--12), per person . . . \$7.00
Seniors (ages 65 and above) . . . \$7.00

Promotional Events:

The Director of the Office of Cultural Affairs or her/his designee shall be permitted to hold up to six Cyclorama promotional event days per calendar year during which s/he may reduce all or some of the Cyclorama admission fees set forth above by no more than \$2.00. The Director or her/his designee shall have the discretion of applying the promotional event reduced fee structure to City of Atlanta residents only, on any or all of the promotional event days. The promotional event days and the discounts associated therewith shall be advertised in advance on the Cyclorama website.

Discounts:

The Director of the Office of Cultural Affairs or her/his designee shall be permitted to offer a discount admission price for Cyclorama patrons who present an admission ticket for entrance to another tourist attraction, provided that: 1) the ticket for the other attraction is dated within forty-eight hours of the requested entrance to Cyclorama; and 2) the discount associated with the other attraction is explained in writing at the Cyclorama ticket booth, is set forth on the Cyclorama website, and is applied uniformly to all Cyclorama patrons. In addition, the Director of the Office of Cultural Affairs or her/his designee shall be permitted to have written coupons issued for discounted Cyclorama admission fees, provided that said coupons are available to the public and are not distributed anywhere within Grant Park other than on Zoo Atlanta property. The Director of the Office of Cultural Affairs or her/his designee shall have the discretion to determine the amount of any discount offered pursuant to this paragraph, but in no event shall the discount exceed \$2.00. Only one discount may be utilized per admission.

Section 3: The Trust Fund Budget is hereby created as follows for the deposit and expenditure of the salary surcharge:

ADD TO ANTICIPATIONS

7701	Trust Fund
140401	PRC Cultural Affairs Administration
3710001	Private Contributions and Donations
6110000	Cultural/Recreation Administration
600371	Cyclorama Improvements
69999	Non Capital Trust

ADD TO APPROPRIATIONS

7701	Trust Fund
140401	PRC Cultural Affairs Administration
5111001	Salary; Regular
5112001	Salary; Extra Help
5121001	GP Life Ins Cont-Emp
5121003	GP Health Ins Cont-Emp
5123001	Medicare Contribution
5124101	Pen Cont Gen Emp Pen Fd
5124102	Defined Contribution
5127004	Workers Compensation Providers
6110000	Cultural/Recreation Administration
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Section 4: All existing ordinances or parts of ordinances in conflict with this ordinance shall be waived for the purposes of this ordinance only, and only to the extent of the conflict.

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RCS# 100
3/01/10
2:54 PM

Atlanta City Council

REGULAR SESSION

CONSENT II

REFER

YEAS: 11
NAYS: 0
ABSTENTIONS: 0
NOT VOTING: 3
EXCUSED: 2
ABSENT 0

Y Smith	NV Archibong	Y Moore	E Bond
E Hall	Y Wan	NV Martin	Y Watson
Y Young	Y Shook	Y Bottoms	Y Willis
Y Winslow	Y Adrean	Y Sheperd	NV Mitchell

CONSENT II

Part II: Legislative White Paper: (This portion of the Legislative Request Form will be shared with City Council members and staff)

A. To be completed by Legislative Counsel:

Committee of Purview: Community Development/Human Resources Committee

Caption: AN ORDINANCE AMENDING THE CITY OF ATLANTA CODE OF ORDINANCES SECTION 110-3, SUBSECTION (a)(5), TO ADD A SALARY SURCHARGE TO EVENTS HELD DURING NON-OPERATING HOURS AT THE ATLANTA CYCLORAMA MUSEUM TO COVER PERSONNEL COSTS OF CITY EMPLOYEES STAFFING SUCH EVENTS; AND AMENDING SECTION 110-3 SUBSECTION (C) TO AUTHORIZE THE DIRECTOR OF THE OFFICE OF CULTURAL AFFAIRS OR HER/HIS DESIGNEE TO OFFER DISCOUNTED ADMISSION FEES FOR CYCLORAMA IN PREDETERMINED TIMES OR CIRCUMSTANCES, WHERE SAID DISCOUNT DOES NOT EXCEED TWO DOLLARS (\$2.00); AND TO CHANGE THE FEE STRUCTURE FOR ADMISSION TO THE CYCLORAMA MUSEUM; AND FOR OTHER PURPOSES.

Council Meeting Date: April 19, 2010

Requesting Dept.: Department of Parks, Recreation and Cultural Affairs

B. To be completed by the department:

1. Please provide a summary of the purpose of this legislation (Justification Statement).

The purpose of this legislation is to amend Section 110-3(a)(5) of the Code of Ordinances, to add a salary surcharge to events held during non-operating hours at the Atlanta Cyclorama Museum to cover personnel costs of city employees works at these events.

2. Please provide background information regarding this legislation.

3. If Applicable/Known:

(a) **Contract Type (e.g. Professional Services, Construction Agreement, etc):**

(b) **Source Selection:**

(c) **Bids/Proposals Due:**

(d) Invitations Issued:

(e) Number of Bids:

(f) Proposals Received:

(g) Bidders/Proponents:

(h) Term of Contract:

4. Fund Account Center:

5. Source of Funds:

6. Fiscal Impact:

7. Method of Cost Recovery:

This Legislative Request Form Was Prepared By:

TRANSMITTAL FORM FOR LEGISLATION

TO: MAYOR'S OFFICE

ATTN: CANDACE BYRD

Dept.'s Legislative Liaison: Debra F. Harris

Contact Number: (404) 817-6795

Originating Department: Department of Parks, Recreation and Cultural Affairs

Committee(s) of Purview: Community Development/Human Resources Committee

Chief of Staff Deadline: February 9, 2010

Anticipated Committee Meeting Date(s): March 30, 2010

Anticipated Full Council Date: April 19, 2010

Legislative Counsel's Signature: Robin Shahar

Commissioner Signature: _____

Chief Procurement Officer Signature: _____

CAPTION

AN ORDINANCE AMENDING THE CITY OF ATLANTA CODE OF ORDINANCES SECTION 110-3, SUBSECTION (a)(5), TO ADD A SALARY SURCHARGE TO EVENTS HELD DURING NON-OPERATING HOURS AT THE ATLANTA CYCLORAMA MUSEUM TO COVER PERSONNEL COSTS OF CITY EMPLOYEES STAFFING SUCH EVENTS; AND AMENDING SECTION 110-3 SUBSECTION (C) TO AUTHORIZE THE DIRECTOR OF THE OFFICE OF CULTURAL AFFAIRS OR HER/HIS DESIGNEE TO OFFER DISCOUNTED ADMISSION FEES FOR CYCLORAMA IN PREDETERMINED TIMES OR CIRCUMSTANCES, WHERE SAID DISCOUNT DOES NOT EXCEED TWO DOLLARS (\$2.00); AND TO CHANGE THE FEE STRUCTURE FOR ADMISSION TO THE CYCLORAMA MUSEUM; AND FOR OTHER PURPOSES.

Mayor's Staff Only

Received by CPO: _____ Received by LC from CPO: _____

(date) (date)

Received by Mayor's Office: _____ Reviewed by: _____

(date) (date)

Submitted to Council: _____